

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELIJAH LEE MILLER,

Plaintiff,

v.

M. CARY, et al.,

Defendants.

No. 2:25-cv-0468 AC P

ORDER AND FINDINGS &
RECOMMENDATIONS

By order filed February 12, 2025, plaintiff was directed to re-file his complaint bearing his signature within thirty days, and that failure to do so would result in a recommendation that this action be dismissed. ECF No. 4. On May 15, 2025, after the thirty-day period expired and plaintiff had not re-filed a signed complaint or otherwise responded to the court's order, the court provided plaintiff with one final opportunity to submit a signed complaint within twenty-one days. ECF No. 8. More than twenty-one days have passed, and plaintiff has not filed a signed complaint or otherwise responded to the court's order.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly assign a United States District Judge to this action


IT IS FURTHER RECOMMENDED that the complaint be dismissed for failure prosecute and comply with court orders. See L.R. 110; Fed. R. Civ. P. 41(b); 28 U.S.C. § 1915A.

These findings and recommendations are submitted to the United States District Judge

1 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
2 after being served with these findings and recommendations, plaintiff may file written objections
3 with the court and serve a copy on all parties. Such a document should be captioned “Objections
4 to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
5 objections within the specified time may waive the right to appeal the District Court’s order.

6 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

7 DATED: June 24, 2025

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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